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4 UNITED STATES DISTRICT COURT  
5 WESTERN DISTRICT OF WASHINGTON  
6 AT SEATTLE

7 UNITED STATES OF AMERICA, )  
8 )  
9 Plaintiff, ) Case No. MJ08-577  
10 )  
11 v. )  
12 ) DETENTION ORDER  
13 JOSE HERNANDEZ-VARGAS, )  
14 )  
15 Defendants. )  
16 )

17 Offense charged:

18 FELON IN POSSESSION OF A FIREARM and ALIEN IN POSSESSION OF A  
19 FIREARM.

20 Date of Detention Hearing: December 15, 2008.

21 The Court, having conducted a detention hearing pursuant to Title 18 U.S.C. § 3142(f), and  
22 based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
23 that no condition or combination of conditions which the defendant can meet will reasonably  
assure the appearance of the defendant as required and the safety of any other person and the  
community.

24 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

25 (1) Defendant did not present any information about his background, ties to the area,  
26 health or employment history. He has a felony conviction for violation of the uniformed

1 controlled substances act in King County Superior Court.

2 (2) The Bureau of Immigrations and Customs Enforcement has placed a detainer on the  
3 defendant. In view of these circumstances, defendant through his counsel stipulated to detention.

4 It is therefore ORDERED:

5 (1) Defendant shall be detained pending trial and committed to the custody of the  
6 Attorney General for confinement in a correctional facility separate, to the extent practicable,  
7 from persons awaiting or serving sentences, or being held in custody pending appeal;

8 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
9 counsel;

10 (3) On order of a court of the United States or on request of an attorney for the  
11 Government, the person in charge of the correctional facility in which defendant is confined shall  
12 deliver the defendant to a United States Marshal for the purpose of an appearance in connection  
13 with a court proceeding; and

14 (4) The clerk shall direct copies of this order to counsel for the United States, to counsel  
15 for the defendant, to the United States Marshall, and to the United States Pretrial Services Officer.

16 DATED this 15<sup>th</sup> day of December, 2008.

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19 BRIAN A. TSUCHIDA  
20 United States Magistrate Judge  
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